

Debbie Leonard (#226547)
Leonard Law, PC
955 South Virginia Street, Suite 220
Reno, Nevada 89502
(775) 964-4656
debbie@leonardlawpc.com

Graham St. Michel (#261882)
General Counsel
Tahoe Regional Planning Agency
128 Market St
Stateline, NV 89449
530-556-6127
gstmichel@trpa.gov

*Attorneys for Tahoe Regional Planning Agency,
Joanne Marchetta, Marsha Berkbigler and Sue
Novasel*

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MONICA EISENTECKEN, TAHOE
STEWARDS, LLC, DAVID BENEDICT,
ANGELA LYNN BENEDICT, SUCCESSOR
IN INTEREST, TAHOE FOR SAFER TECH,
and ENVIRONMENTAL HEALTH TRUST,

Plaintiffs,

v.

TAHOE REGIONAL PLANNING
AGENCY; JOANNE MARCHETTA, in her
official and individual capacities, MARSHA
BERKBIGLER in her official and individual
capacities; SUE NOVASEL, in her official
and representative capacities; GUILLIAM
NEL; and SACRAMENTO-VALLEY
LIMITED PARTNERSHIP dba VERIZON
WIRELESS,

Defendants.

2:20-cv-02349-DJC-CKD

**STIPULATION AND ORDER TO
EXTEND TIME TO FILE
RESPONSES TO THE
FOURTH AMENDED COMPLAINT
(SECOND REQUEST)**

Pursuant to Local Rule 144 and the Court's Order on the parties' prior stipulation (ECF No. 105), Plaintiffs Monica Eisenstecken, Tahoe Stewards, LLC, David Benedict, Angela Lynn Benedict, Successor in Interest, Tahoe for Safer Tech and Environmental Health Trust (collectively, "Plaintiffs"), and Defendants Tahoe Regional Planning Agency, Joanne Marchetta, Marsha Berkbigler and Sue Novasel (collectively, the "TRPA Defendants") and Nominal Defendants Guillian Nel and Sacramento-Valley Limited Partnership dba Verizon Wireless (collectively, the "Verizon Defendants"), through their respective undersigned counsel, stipulate and agree as follows:

On July 31, 2025, Plaintiffs filed their document titled "Fourth Amended Complaint, Petition for Writ of Mandate, Declaratory Relief and Injunctive Relief" (the "Fourth Amended Complaint," ECF No. 103).

This is the parties' second request for an extension of time to file responses to the Fourth Amended Complaint. On the parties' previous stipulation, the Court granted Defendants and Nominal Defendants a 28-day extension of time to respond to the Fourth Amended Complaint ("First Extension," ECF No. 105). Pursuant to the First Extension (ECF Nos. 104, 105), Defendants' and Nominal Defendants' response(s), if any, to the Fourth Amended Complaint are currently due on or before October 10, 2025. The First Extension states, "If the parties need additional time to engage in further settlement discussions, they will file a future stipulation for extension of time on or before October 10, 2025." The parties file this second request in compliance with that language.

Plaintiffs and the TRPA Defendants continue to engage in settlement discussions that, if successful, would result in the dismissal of this action with prejudice. Additional time is needed to consider and discuss settlement proposals. To allow these parties to dedicate their time and resources towards a potential settlement, rather than in furtherance of continued litigation, the parties seek to extend the existing deadline for Defendants and Nominal Defendants to respond to the Fourth Amended Complaint.

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**Stipulation and Order to Extend Time to File Responses to the Fourth Amended Complaint
(SECOND REQUEST)**

1 NOW THEREFORE,

2 The parties stipulate and agree that the due date for all Defendants and Nominal
3 Defendants to respond to the Fourth Amended Complaint shall be extended by 28 days. All
4 Defendants and Nominal Defendants shall file their response(s), if any, to the Fourth Amended
5 Complaint on or before November 7, 2025.

6 If the parties need additional time to engage in further settlement discussions, they will
7 file a future stipulation for extension of time on or before November 7, 2025.

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28 **Stipulation and Order to Extend Time to File Responses to Fourth Amended Complaint
(SECOND REQUEST)**

The parties represent that this stipulation is made in good faith and not for the purpose of delay.

DATED: September 22, 2025

DATED: September 22, 2025

LEONARD LAW, PC

LAW OFFICE OF ROBERT J. BERG

/s/ Debbie Leonard

/s/ Robert J. Berg (as authorized on 9/12/2025)

DEBBIE LEONARD (#226547)
955 South Virginia Street, Suite 220
Reno, Nevada 89502
(775) 964-4656
debbie@leonardlawpc.com

ROBERT J. BERG (*pro hac vice*)
Law Office of Robert J. Berg PLLC
19 Carriage House Lane
Mamaroneck, New York 10543
(914) 522-9455
robertbergesq@aol.com

Graham St. Michel (#261882)
General Counsel
Tahoe Regional Planning Agency
128 Market St
Stateline, NV 89449
530-556-6127
gstmichel@trpa.gov

Julian Gresser (#50656)
P.O. Box 30397
Santa Barbara, CA 93130
(805) 563-3226
Juliangresser77@gmail.com

Attorneys for TRPA Defendants

Gregg Lien (#69620)
Attorney at Law
P.O. Box 7442
Tahoe City, CA 96145
530-583-8500
lakelaw@sierratahoe.net

DATED: September 22, 2025

MACKENZIE & ALBRITTON LLP

Attorneys for Plaintiffs

/s/ Melanie Sengupta (as authorized on 9/19/2025)
MELANIE SENGUPTA (#244615)
155 Sansome Street, Suite 620
San Francisco, CA 94104
(415) 288-4000
m.sengupta@mallp.com

Attorneys for Verizon Defendants

IT IS SO ORDERED.

Dated: September 22, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE

**Stipulation and Order to Extend Time to File Responses to Fourth Amended Complaint
(SECOND REQUEST)**